

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO

EASTERN DIVISION

M-15-0021-M-010

UNITED STATES OF AMERICA,

Plaintiff,

v.

FERNANDO AUCES,  
aka NANDO,  
RICARDO MORALES-ALMAZAN,  
aka RICO,  
ALEJANDRO SANCHEZ,  
aka MIGUEL,  
aka ALEX,  
ROBERTO AGAPITO VALLEJO-  
BECERRA,  
aka PRIMO,  
ALEXANDER GONZALES,  
aka GONZO,  
aka ALEX,  
TAMMY GIBSON,  
JAVIER JIMENEZ,  
NOE REYES,  
aka GORDO,  
RANDY KOELBLIN,  
aka CHEWY,  
JASMINE REYES,  
JENNETH DELAROSA,  
DANIEL ULIS,  
aka HEAVY,  
ANTHONY KING,  
aka BONE,  
aka SHORTY,

Defendants.

INDICTMENT

1:15CR011

CASE NO.

Title 21, Section 846, United  
States Code  
Title 21, Sections 841(a)(1),  
(b)(1)(A), (b)(1)(B), and  
(b)(1)(C), United States Code  
Title 21, Section 843(b), United  
States Code  
Title 18, Section 1952 (a)(3),  
United States Code  
Title 18, Section 2, United States  
Code

JUDGE BOYKO

COUNT 1

The Grand Jury charges:

Beginning at least as early as July 2010, and continuing through August 30, 2014, the exact dates to the Grand Jury unknown, in the Northern District of Ohio, Eastern Division, and elsewhere, FERNANDO AUCES, aka NANDO; RICARDO MORALES-ALMAZAN, aka RICO; ALEJANDRO SANCHEZ, aka MIGUEL, aka ALEX; ROBERTO AGAPITO VALLEJO-BECERRA, aka PRIMO; ALEXANDER GONZALES, aka GONZO, aka ALEX; TAMMY GIBSON; JAVIER JIMENEZ; NOE REYES, aka GORDO; RANDY KOELBLIN, aka CHEWY; JASMINE REYES; JENNETH DELAROSA; DANIEL ULIS, aka HEAVY; and ANTHONY KING, aka BONE, aka SHORTY, the defendants herein, and others known and unknown did unlawfully, knowingly, and intentionally combine, conspire, confederate, and agree together and with each other, and with diverse others known and unknown to the Grand Jury, to possess with the intent to distribute and to distribute a mixture or substance containing a detectable amount of heroin, a mixture or substance containing a detectable amount of cocaine, and a mixture or substance containing a detectable amount of methamphetamine. As to defendants FERNANDO AUCES, aka NANDO; RICARDO MORALES-ALMAZAN, aka RICO; ROBERTO AGAPITO VALLEJO-BECERRA, aka PRIMO; ALEXANDER GONZALES, aka GONZO, aka ALEX; RANDY KOELBLIN, aka CHEWY; and DANIEL ULIS, aka HEAVY, those defendants conspired to possess with intent to distribute, and to distribute at least 1 kilogram or more of a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance; 500 grams or more of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance; and 50 grams or more of a mixture or substance containing a detectable amount of methamphetamine, a Schedule

II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(A) and (b)(1)(B). As to defendants ALEJANDRO SANCHEZ, aka MIGUEL, aka ALEX; TAMMY GIBSON; JAVIER JIMENEZ; NOE REYES, aka GORDO; JENNETH DELAROSA; and ANTHONY KING, aka BONE, aka SHORTY, those defendants conspired to possess with the intent to distribute and to distribute at least 100 grams or more of a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance, 500 grams or more of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance, and 5 grams or more of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B). As to defendant JASMINE REYES, that defendant conspired to possess with intent to distribute and to distribute a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance, and to possess with the intent to distribute and to distribute a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

#### MANNER AND MEANS OF THE CONSPIRACY

A. It was part of the conspiracy that FERNANDO AUCES, while an inmate at Allen Correctional Institution (hereinafter Allen CI) in Lima, Ohio, with the assistance of other Allen CI inmates, RICARDO MORALES-ALMAZAN, M.R. (known to the Grand Jury, but not charged herein), and others, controlled a multi-state drug operation by communicating through a contraband cell phone with others outside the prison to arrange for the delivery and sale of heroin, cocaine, and methamphetamine.

B. It was further part of the conspiracy that FERNANDO AUCES and M.R. organized the delivery of large amounts of heroin and cocaine to Ohio through a supplier from Indiana known as "Junior" (not indicted herein).

C. It was further part of the conspiracy that FERNANDO AUCES also organized the delivery of large amounts of heroin by ROBERTO AGAPITO VALLEJO-BECERRA from Texas to Ohio.

D. It was further part of the conspiracy that FERNANDO AUCES recruited family members, friends and associates, including RICARDO MORALES-ALMAZAN, JENNETH DELAROSA, ALEJANDRO SANCHEZ, DANIEL ULIS, ANTHONY KING, JAVIER JIMENEZ, and RANDY KOELBLIN, to receive and distribute heroin, cocaine, and methamphetamine to various locations in the Northern District of Ohio, including Cleveland and Toledo, Ohio.

E. It was further part of the conspiracy that FERNANDO AUCES, RICARDO MORALES-ALMAZAN, ROBERTO AGAPITO VALLEJO-BECERRA, and G.G. (a person known to the Grand Jury, but not charged herein) also arranged for the delivery and sale of heroin and cocaine to M.M. (a person known to the Grand Jury, but not charged herein) for distribution by M.M. to his drug customers in Cleveland, Ohio.

F. It was further part of the conspiracy that FERNANDO AUCES also agreed with ALEXANDER GONZALES, an inmate at Southern Ohio Correctional Facility in Lucasville, Ohio, to share customers and drug suppliers. In so doing, AUCES arranged for GONZALES to distribute drugs to various locations in Ohio, including the Cleveland, Akron/Canton, Dayton, and Cincinnati, Ohio, areas.

G. It was further part of the conspiracy that ALEXANDER GONZALES used his girlfriend, TAMMY GIBSON, to distribute heroin to drug customers RANDY KOELBLIN, DANIEL ULIS, and others.

H. It was further part of the conspiracy that ROBERTO AGAPITO VALLEJO-BECERRA and RICARDO MORALES-ALMAZAN recruited NOE REYES and JASMINE REYES to transport heroin and cocaine from Texas to Ohio at the direction of FERNANDO AUCES.

I. It was further part of the conspiracy that the co-conspirators conducted counter-surveillance of law enforcement and shared information with each other about law enforcement presence.

J. It was further part of the conspiracy that the co-conspirators conducted drug trafficking activity by using cellular telephones to make and receive telephone calls and to send and receive text or other electronic messages. To reduce the risk of being detected by law enforcement, and to conceal the identity of the person using the device, co-conspirators often used cellular telephones that had been obtained in the names of other persons or in fictitious names.

K. It was further part of the conspiracy that the co-conspirators, when using cellular phones or text messaging to conduct drug trafficking activity, used slang terms, street terminology, or code words or phrases to obscure and to disguise the true nature of their activities and the true meaning of their conversations. For example, the co-conspirators used code names in discussing heroin and cocaine, such as "brown," "chine," or "china" for heroin and "white girls" or "coca colas" for cocaine.

ACTS IN FURTHERANCE OF THE CONSPIRACY

In furtherance thereof, and to effect the goals and conceal the existence of the conspiracy, the defendants and others performed overt acts in the Northern District of Ohio and elsewhere, including but not limited to the following:

1. On November 6, 2012, a person cooperating with law enforcement (hereinafter referred to as "Source 1") arranged for a drug transaction with RICARDO MORALES-ALMAZAN. MORALES-ALMAZAN notified Source 1 that his "sister-in-law" would consummate the transaction on MORALES-ALMAZAN's behalf.

2. On November 6, 2012, at approximately 2:03 p.m., JENNETH DELAROSA, who identified herself as "J," contacted Source 1 on the telephone. During the conversation, DELAROSA explained to Source 1 that she had been instructed by RICO (RICARDO MORALES-ALMAZAN) to contact Source 1 to consummate a drug transaction in which Source 1 would purchase methamphetamine.

3. On November 6, 2012, at approximately 2:38 p.m., RICARDO MORALES-ALMAZAN called Source 1 on the telephone. During the call, Source 1 reported to MORALES-ALMAZAN that Source 1 had just spoken to "J" (JENNETH DELAROSA). MORALES-ALMAZAN replied, "Yeah, that's my sister in law." Source 1 and MORALES-ALMAZAN discussed the details of their methamphetamine transaction and the quality of the drugs that MORALES-ALMAZAN planned to sell to Source 1. Source 1 then asked, "What about the girls (cocaine)?" MORALES-ALMAZAN replied, "Look, what I'm trying to do, is transfer all that money back to Texas, and they're about to send me some girls (kilograms of cocaine), you know what I mean?" Later in the conversation, Source 1 said, "If they like it (the methamphetamine), I'll be able to cash it out real quick." MORALES-ALMAZAN replied,

"Well hopefully they'll like it. If you could, send me a text and I can tell my people." Later, MORALES-ALMAZAN added, "I forgot to tell you, can you put this money through like . . . I give you a bank account number. Can you do that for me?" Source 1 replied affirmatively, and asked if MORALES-ALMAZAN wished to provide the account number at that time. MORALES-ALMAZAN replied, "No, I prefer to wait, you know what I mean? Wait. I don't do stuff like that. I totally keep it real with you because you keep it real with me, so I prefer you have it in your hands and get rid of it and send the money. I prefer doing it that way."

4. On November 6, 2012, FERNANDO AUCES called JENNETH DELAROSA on the telephone. During the conversation, DELAROSA stated that she didn't think that Source 1 was going to be happy because it (the methamphetamine which she received in the mail) isn't like in the picture (sample). AUCES replied, "He (customer) already knows."

5. On November 7, 2012, Source 1 met with JENNETH DELAROSA in the parking lot of 3400 Steelyard Drive, Cleveland, Ohio. During the meeting, DELAROSA provided Source 1 with 269.31 grams of methamphetamine.

6. On November 7, 2012, at approximately 8:11 p.m., RICARDO MORALES-ALMAZAN sent Source 1 the following text message: "Send to this name: Miguel Angel Flores the Bank is Chase n this is the bank account no. 9508XXXXX Let me know when you do it please."

7. On November 7, 2102, at approximately 8:22 pm, RICARDO MORALES-ALMAZAN sent Source 1 the following text message: "I try to get another to put half n half to avoid problems u know to stay safe."

8. On November 8, 2012, Source 1 called RICARDO MORALES-ALMAZAN on the telephone. During the call, MORALES-ALMAZAN instructed Source 1 to place the money for the methamphetamine in equal parts into two separate Chase Bank accounts. MORALES-ALMAZAN explained to Source 1 that he specifically wanted half of the money in each account to ensure that neither transaction would cause the account balances to be large enough to attract the suspicion of law enforcement.

9. On November 8, 2012, Source 1 called RICARDO MORALES-ALMAZAN on the telephone. During the call, MORALES-ALMAZAN provided Source 1 with the price of \$100,000 for a kilogram of heroin which MORALES-ALMAZAN assured Source 1 was "80 to 90 percent pure."

10. On November 9, 2012, Source 1 deposited \$4,500 into a Chase Bank account provided by RICARDO MORALES-ALMAZAN.

11. On November 14, 2012, Source 1 deposited \$4,000 into a Chase Bank account provided by RICARDO MORALES-ALMAZAN.

12. On November 30, 2012, RICARDO MORALES-ALMAZAN called Source 1 on the telephone. During the conversation, Source 1 asked MORALES-ALMAZAN, "So what are we gonna do? Are we gonna try to put like, girls together, or what?" MORALES-ALMAZAN responded, "Yeah, but it's gonna be the brown girls (heroin)." Source 1 asked, "What are they goin' for man (price)?" MORALES-ALMAZAN responded, "95" (\$95,000 per kilogram). MORALES-ALMAZAN then told Source 1 that he had recently sold a kilogram of brown heroin to another unidentified customer, and that because of the quality/purity of the heroin, the customer was able to "double his money." MORALES-ALMAZAN told Source 1, "It's good. Look, for real, I just got one . . ." Referring to his customer, MORALES-ALMAZAN added,



“The dude, he said ‘I ain’t got nothing to complain. I doubled my money up, and I’m good.’ You know what I mean?” MORALES-ALMAZAN also told Source 1, “If you want a whole one, or two, you tell me.”

13. In or around February 2013, the exact date being unknown to the Grand Jury, RICARDO MORALES-ALMAZAN illegally re-entered the United States to further his drug trafficking activities after being released from prison and deported.

14. On April 3, 2013, Source 1 contacted RICARDO MORALES-ALMAZAN on the telephone. MORALES-ALMAZAN explained to Source 1 that he was willing to send drugs to Source 1, but clarified, “I will send you something, but I don’t know how much it’s going to be.” Source 1 complained to MORALES-ALMAZAN about the quality of the methamphetamine that Source 1 purchased in November of 2012, and MORALES-ALMAZAN responded, “We’ll see this time. We’ll send it and you can see it first. If you like it, we will work. If not, my apologies, give it back. I ain’t got no problem with that. I’ll talk to my people and everything is cool.”

15. On April 13, 2013, RICARDO MORALES-ALMAZAN sent a text message to Source 1 which read, “If a send u 4 white girls but this girls is like 80 percent only the price is 38\$ can u work w theme” (MORALES-ALMAZAN asked Source 1 if Source 1 would accept and sell four kilograms of 80 percent pure cocaine for \$38,000 per kilogram).

16. On April 13, 2013, Source 1 called RICARDO MORALES-ALMAZAN on the telephone in response to his text message and requested a lower price. MORALES-ALMAZAN stated they could “work out something” regarding the per kilogram price of cocaine. Source 1 also requested that “J” (JENNETH DELAROSA) deliver the cocaine to Source 1, and

MORALES-ALMAZAN replied that he had no objection to DELAROSA delivering the package.

17. On May 13, 2013, Source 1 called RICARDO MORALES-ALMAZAN on the telephone. However, an unknown male associate of MORALES-ALMAZAN answered, and told Source 1 that MORALES-ALMAZAN had recently been detained by immigration authorities and would likely be incarcerated for several months. During the call, the unidentified male associate explained his close association with FERNANDO AUCES and RICARDO MORALES-ALMAZAN, including his knowledge of MORALES-ALMAZAN's drug related association with FERNANDO AUCES. Later in the conversation, the unidentified male offered Source 1 the price of \$25,000 per kilogram of cocaine and provided Source 1 with FERNANDO AUCES' telephone number.

18. On May 19, 2013, FERNANDO AUCES called Source 1 on the telephone. During the call, AUCES offered to arrange the delivery of four kilograms of cocaine to Source 1. AUCES explained that DELAROSA's son "Miguel" (ALEJANDRO SANCHEZ) would deliver the package to Source 1 in Cleveland, Ohio. AUCES then provided Source 1 with several cellular telephone numbers to contact "Miguel" (SANCHEZ).

19. On May 23, 2013, at approximately 8:56 p.m., ALEJANDRO SANCHEZ called Source 1 on the telephone. SANCHEZ informed Source 1 that he was about to leave the Toledo area enroute to the Cleveland area with the kilograms of cocaine that had been arranged between Source 1 and FERNANDO AUCES. They agreed to meet where SANCHEZ's mother (JENNETH DELAROSA) had met Source 1 to conduct a previous drug transaction. SANCHEZ told Source 1 there would be "two rides" (one vehicle carrying the drugs and the other vehicle to serve as lookout) on the trip.

20. On May 23, 2013, ALEJANDRO SANCHEZ and others drove in two vehicles from Toledo toward Cleveland, Ohio. Both vehicles were stopped in Sandusky, Ohio by the Ohio State Highway Patrol.

21. On September 11, 2013, RICARDO MORALES-ALMAZAN called Source 1 and notified Source 1 that he had re-entered the country. MORALES-ALMAZAN provided Source 1 with his new telephone number in order to contact him to arrange drug purchases.

22. On October 23, 2013, JASMINE REYES arrived in Cleveland, Ohio, to deliver a quantity of heroin to M.M. from RICARDO MORALES-ALMAZAN.

23. On October 24, 2013, at approximately 10:55 a.m., RICARDO MORALES-ALMAZAN sent the following text message to JASMINE REYES: "Give 800 more to that girl u just take it from there plz."

24. On October 24, 2013, at approximately 11:20 a.m., RICARDO MORALES-ALMAZAN received the following text message from JASMINE REYES: "Im so mad right now."

25. On October 24, 2013, at approximately 11:21 a.m., RICARDO MORALES-ALMAZAN responded to JASMINE REYES with the following text message: "Me 2 he not answer my kalls."

26. On October 24, 2013, at approximately 11:22 a.m., JASMINE REYES sent the following text message to RICARDO MORALES-ALMAZAN: "This is bulls\*\*t."

27. On October 24, 2013, at approximately 11:23 a.m., RICARDO MORALES-ALMAZAN replied to JASMINE REYES: "Tell me about it."

28. On October 24, 2013, at approximately 11:27 a.m., JASMINE REYES then sent the following text message to RICARDO MORALES-ALMAZAN: "If it gonna be like this Imma start asking for more pay cuz Im so mad Im not even playing."

29. On October 24, 2013, at approximately 11:34 a.m., RICARDO MORALES-ALMAZAN sent the following text message to JASMINE REYES: "Hey just help me out by next time I take care everything from here I promise."

30. On October 24, 2013, at approximately 3:13 p.m., RICARDO MORALES-ALMAZAN sent the following text message to M.M.: "She already by her ticket she live by 5."

31. On October 24, 2013, at approximately 4:06 p.m., RICARDO MORALES-ALMAZAN then sent the following text message to M.M.: "Hey she live in a 6:00 u talk to her already."

32. On October 24, 2013, at approximately 4:08 p.m., M.M. sent the following text message to RICARDO MORALES-ALMAZAN: "Yea."

33. On October 24, 2013, at approximately 4:17 p.m., JASMINE REYES sent the following text message to RICARDO MORALES-ALMAZAN: "Hes not here yet."

34. On October 24, 2013, at approximately 4:21 p.m., RICARDO MORALES-ALMAZAN sent the following text message to M.M.: "KALL ME ASAP."

35. On October 24, 2013, at approximately 4:23 p.m., RICARDO MORALES-ALMAZAN then sent the following text message to JASMINE REYES: "He be there n 20 min k."

36. On October 24, 2013, at approximately 4:35 p.m., JASMINE REYES sent the following text message to RICARDO MORALES-ALMAZAN: "This is bs already."

37. On October 24, 2013, at approximately 4:48 p.m., RICARDO MORALES-ALMAZAN sent the following text message to M.M.: "That bitch is on my ass were r u."

38. On October 24, 2013, at approximately 4:54 p.m., RICARDO MORALES-ALMAZAN sent the following text message to M.M.: "This girl living right now get on it."

39. On October 25, 2013, at approximately 10:13 a.m., RICARDO MORALES-ALMAZAN sent the following text to M.M.: "U got the other phone."

40. On November 8, 2013, at approximately 7:29 p.m., FERNANDO AUCES called M.M. on the telephone. During a lengthy conversation, M.M. complained that the quality of the heroin provided to M.M. by AUCES' associates was unacceptably low and that M.M. was having a hard time selling it. M.M. also stated that someone is "bullying" him to collect the money owed for the low quality heroin. M.M. stated, "Man, first the one m\*\*\*a f\*\*kin' peoples, they put some s\*\*t out on me, then they tried to bully me out of some money, I had to tell them motherfu\*\*ers, I had to call your son (ALEJANDRO SANCHEZ), I'm not about to be bullied by anybody . . ." M.M. explained that he would prefer to return the poor quality heroin than try to sell it. M.M. said, "You could come get this s\*\*t, man. I still got that s\*\*t . . . I ain't makin' no money off that s\*\*t. N\*\*ga, that s\*\*t slow. I can't sell that s\*\*t by itself. You all not bringing me nothin' up here. So that mean I got to buy s\*\*t to mix with that (M.M. had to add purer heroin to improve the quality of the heroin)." M.M. later added, "What, am I supposed to be stuck with two hundred thousand dollars worth of s\*\*t? No! It's coming from down there (Mexico), and its some bulls\*\*t! Are you f\*\*kin' serious man?" Later in the call, AUCES asked M.M. about the quality of drugs which had been sent to M.M. by PRIMO (ROBERTO AGAPITO VALLEJO-BECERRA). AUCES asked, "Let me ask you this, what about PRIMO's (VALLEJO-BECERRA)?" M.M. replied, "Let me tell you what PRIMO (VALLEJO-

BECERRA) did. PRIMO (VALLEJO-BECERRA) sent some s\*\*t (heroin) up here that is a f\*\*kin' one (VALLEJO-BECERRA sent M.M. heroin with a quality of one on a scale of one to ten)!" M.M. then explained that he is not afraid of any attempts that might be made to collect money by force or extortion. Referring to a conversation with an unnamed mutual associate, M.M. stated, "And he like, 'uh, well, I can tell 'em man, but he probably gonna send somebody up there', I said, well you know what, you tell him to send somebody up here, man. Send whoever the f\*\*k he want to send up here! I dare him to send somebody up here . . . to my city. You send some motherfu\*\*ers up here they gonna die . . . At the bus station . . . At the airport, wherever the f\*\*k they come in at, that's where they're gonna be laying at!" AUCES then asked who was bullying him, and M.M. replied, "The dude Max." Later in the conversation, M.M. said, "I'm not goin' for that s\*\*t. The whole thing is this, the whole time I've been f\*\*kin' with them (buying drugs), they been short as f\*\*k. The packs (kilograms of heroin) been short every time!" M.M. then complained to AUCES that he was delivered "black tar" type heroin, which M.M. does not know how to process and, therefore, will have difficulty selling. M.M. stated, "Then . . . you bring some s\*\*t down here that I ain't even never in my life f\*\*ed with!" Later, AUCES stated, "Yeah, but, listen, listen M\*\*k (M.M.), you know, I mean, you know that, that I love you with, uh, you know that, bro? You know, I mean, you always been good to me and I also, I always, you know, I try like to be good to you." M.M. replied, "I'm gonna pay 'em. I'm gonna pay 'em their money because, know what I'm sayin'. I don't give a f\*\*k how weak you is, how strong you is, if I said I owe something, I took something, and I am responsible for, I'm gonna pay for that." AUCES then asked about M.M.'s relationship with PRIMO (VALLEJO-BECERRA), and M.M. reiterated that PRIMO (VALLEJO-BECERRA) sent M.M. poor quality drugs. M.M. stated that when his friends, who thought that M.M. appeared stupid following the

transaction with PRIMO (VALLEJO-BECERRA), asked M.M. why he would be willing to pay for such poor quality heroin, M.M. explained to them, "Man, this is my dude Fernando's people man . . . I'm like, f\*\*k it, on the strength (loyalty) for him, I'm gonna do this s\*\*t man". M.M. later explained that PRIMO (VALLEJO-BECERRA) attempted to send an additional package of better heroin which he could "add to" (mix with) the heroin which had already been sent. M.M. said that before PRIMO (VALLEJO-BECERRA) sent that additional package, RICO (RICARDO MORALES-ALMAZAN) called M.M. M.M. stated, "I'm like, RICO (MORALES-ALMAZAN), look, go into that s\*\*t, take one yam (gram of heroin) outta there, add one yam to it, get it tested before you send it up here to me, I don't want to waste y'all time. He (MORALES-ALMAZAN) said 'alright, I'm gonna do this, I'm gonna do that, I'm gonna do this.' The next phone call I got from him (MORALES-ALMAZAN), he said man, man, the girl (JASMINE REYES) is on her way up there." M.M. added, "Cause RICO (MORALES-ALMAZAN), man, one thing about him, man, I'm a go off his word. If he tell me something, man, I'm a go off his word because his, his word has been proven in the past. He done proved his word to me." M.M. added, "RICO (MORALES-ALMAZAN) owe me ten thousand . . . I could call PRIMO (VALLEJO-BECERRA) and go like here go all your money, and just take that ten thousand that RICO (MORALES-ALMAZAN) owe me . . . I just talked to RICO (MORALES-ALMAZAN) yesterday." Later in the call, M.M. stated, "Just think about this, all the other times when they sent me s\*\*t, they send me this s\*\*t three times, I paid all their money. Hundreds of thousands of dollars man. The s\*\*t was good, I could move it." AUCES explained to M.M. that he had to end the conversation because "I'm using someone else's . . . thing (telephone)." AUCES said, "I know that you're like that, no matter what, you, you'll pay, I know that, I mean I know that, what kind of person you are, and that's the reason I'm still f\*\*king with

you, you know?" AUCES then advised M.M., "Listen bro, you know, I mean, this is as your friend bro, as your dude. You know, you better watch what you, how you do things, you know because I'm tellin' you, I mean, well you already know . . . But I know, you know, even though I'm in here (prison), how hard it is . . ." M.M. replied, "Yeah alright, you already know, I know. Tell PRIMO (VALLEJO-BECERRA) I said two to three weeks he'll have all his money . . . He can call me anytime."

41. On December 4, 2013, at approximately 12:26 p.m., an undercover officer in Texas, posing as a truck driver, called RICARDO MORALES-ALMAZAN on the telephone. The undercover officer told MORALES-ALMAZAN that he was "ready to work" (transport drugs). The undercover officer and MORALES-ALMAZAN agreed to meet and discuss the details of their relationship the following day.

42. On December 5, 2013, at approximately 9:30 a.m., RICARDO MORALES-ALMAZAN met the undercover officer in Pharr, Texas. During the meeting, MORALES-ALMAZAN confirmed that he wanted the undercover officer to transport drug packages containing heroin, cocaine, or methamphetamine from Texas to Cleveland or Toledo, Ohio. MORALES-ALMAZAN offered to pay the undercover officer \$20,000 to make the drug delivery with \$5,000 in advance.

43. On December 8, 2013, at approximately 7:32 p.m., M.M. received the following text message from FERNANDO AUCES: "Come on man stop playing. answer your phone. Nando."

44. On December 12, 2013, at approximately 4:36 p.m., RICARDO MORALES-ALMAZAN called M.M. on the telephone. During the call, MORALES-ALMAZAN asked,



“What’s up with you?” M.M. responded, “S\*\*t, up here looking foolish.” MORALES-ALMAZAN asked, “Are you ready or what? PRIMO (ROBERTO AGAPITO VALLEJO-BECERRA) wants to talk to you, hold on.” ROBERTO AGAPITO VALLEJO-BECERRA got on the phone and greeted M.M., who replied, “That muthaf\*\*kin’ lightweight put me in a bad spot (the poor quality heroin hurt M.M.’s business) with that s\*\*t (heroin) man. I still got that s\*\*t (heroin), you know that right? You can send somebody up here to get it if you want to man.” VALLEJO-BECERRA asked, “You have it the same, the same way I sent it?” M.M. replied, “The only thing I did, I put that s\*\*t together from what you told me to do, what you sent up here I mixed it with that s\*\*t that you gave me and I still got it.” VALLEJO-BECERRA replied, “I’m thinking that two weeks ago or so, a lady was a calling you, and you could do nothing with her with the stuff over there. Just ah, give it to her.” M.M. responded, “Oh, Janet (JENNETH DELAROSA) gonna come pick it up?” VALLEJO-BECERRA said, “Yeah.”

45. On December 18, 2013, at approximately 11:03 a.m., an undercover officer called RICARDO MORALES-ALMAZAN on the telephone. During the conversation, MORALES-ALMAZAN informed the undercover officer that he had recently traveled to Mexico and confirmed with his “people” there that he would be able to obtain the drugs which the parties had agreed to transport to Ohio during their previous meeting.

46. On January 24, 2014, at approximately 8:51 p.m., FERNANDO AUCES called ALEJANDRO SANCHEZ on the telephone. During that conversation, AUCES asked, “Hey, did you talk to dude?” SANCHEZ replied, “Nope, not yet.” AUCES stated, “Oh, because he said he was trying to get a hold of you.” SANCHEZ replied, “I called him that one time, he never answered, so I thought maybe he was mad or something.” AUCES replied, “No he’s not. He

just wants to see what's going on, you know." SANCHEZ asked, "Remember you told me to call him?" AUCES replied, "Yeah." Later in the conversation, SANCHEZ stated, "Yeah, they're still, they're trying to get things together still, so hopefully soon. And I had asked him about your friend, and he had told me, he didn't know who he was, but he asked his friend 'cause his friend's a Moreno (black male) too. His friend said yeah, that he knows him. He said he's a good guy, he likes to make money and he makes his money and all that. But he's like real out in the open, like, he don't care about nothing. He don't care if he's being watched just as long as he's getting his money. You know what I mean?" AUCES asked, "Who's that, BONE (ANTHONY KING) or the other one?" SANCHEZ replied, "Yeah, the BONE (KING) guy." Later in the call, AUCES asked, "What do you think about JAVIER (JAVIER JIMENEZ)?" SANCHEZ asked, "JAVIER? JIMENEZ?" AUCES replied, "Yeah." SANCHEZ asked, "As far as what?" AUCES replied, "Like business." SANCHEZ said, "Honestly, man, on my kids, he's a real good person, you know what I mean. Real good friend, he's real cool, respectful. But when it comes to that kind of stuff, everything from, you know I've knowin' him for a long time, and he's always doing something or, you know, going in people's house on that. You know what I mean?" AUCES replied, "Yeah. Because we talked before and everything and we became real good friends and then he told me stories that, well you know, that he was acting all stupid and all that, but now he was trying to be cool and all that. He wants to work, that's what he says." Later, SANCHEZ added, "Every time I heard something about him, not only him, but the people that are his friends, they're always robbing somebody out there." Later in the conversation, SANCHEZ said, "Just, even if he like, say maybe he just put my name out there, yeah, I got to go meet ALEX (ALEJANDRO SANCHEZ). All of the sudden them people can be like, oh, you know, we're gonna go, you know. You know what I mean?"

47. On January 25, 2014, at approximately 7:39 p.m., FERNANDO AUCES called JAVIER JIMENEZ on the telephone. During the call, JIMENEZ asked, "What happened with the china (heroin)?" AUCES replied, "Nothing yet. We still waiting because my other cousin, he's waiting for the guy. They coming straight from Mexico. He just waiting for them. Why, you got some people (customers)?" JIMENEZ replied, "Yep." AUCES asked, "What about on the other one, the blondies (cocaine)?" JIMENEZ replied, "For one or two (kilograms). You know what I mean? It would be nice if I could break one down. Give me like a week. You know what I mean?" AUCES responded, "Right now what I'm looking for is people with the money right there." JIMENEZ stated, "I can get that together though, you know what I mean? Couple people I know. You know what I mean?" Later in the conversation, AUCES told JIMENEZ, "They're going for 36 (\$36,000 for a kilogram of cocaine) but he can get it whenever I want it."

48. On January 25, 2014, at approximately 8:15 p.m., FERNANDO AUCES placed a call and initially spoke to "Big Head," an unknown male. During the call, AUCES asked Big Head to pass the phone to another male, DANIEL ULIS. AUCES stated to ULIS, "I know that you wanted to work with the white girls (cocaine), you know." ULIS responded, "Oh man, hey perfect. Man, on my momma." AUCES replied, "But listen, this is the thing, this is what I was telling Big Head right now. Now I can get it all the way to Toledo, you know. I can bring it over. But dudes, they want cash right there. They don't want to fund nothing, you know. At least for now, because I'm trying to win his trust." ULIS asked, "What's the numbers (price) gonna be?" AUCES replied, "They said it's gonna be thirty-six (\$36,000 per kilogram of cocaine), but they're good ones. I mean good. He said he'll guarantee it. And he can bring it whenever, like once a week or, you know, however." ULIS replied, "Hey look, I'm a get your number from my

brother, man, and I'm a call you back. What's a good time to call you back?" AUCES said, "From six and up. But you can send a message or whatever, you know." ULIS replied, "Ok, I'm a get the number from him and I'm gonna send you a message from my phone, man, and we fitting to make it happen man. On my momma." Later in the conversation, AUCES stated, "Let me know on the other ones, cause I'm gonna send my girl's son (ALEJANDRO SANCHEZ) to talk to you. Before anything happens on the white girls." ULIS replied, "That'd be what's up man, that'd be what's up right there. I'm a text you in about fifteen, twenty minutes from my number, man."

49. On January 25, 2014, at approximately 8:42 p.m., DANIEL ULIS sent the following text to FERNANDO AUCES: "Watz good bro diz my number," the text message then provided AUCES with ULIS' telephone number.

50. On January 25, 2014, at approximately 8:23 p.m., FERNANDO AUCES called ANTHONY KING on the telephone. During the conversation, KING stated, "I went, somebody gave me an opportunity in the one way on the H (heroin), so I went with the H, but bro, he kinda want to go to the store, but he a little short right now. He waiting on money up." AUCES replied, "Oh, ok." Later in the conversation, AUCES asked, "Like how many days, you know, we talking about? Because the guy he wanted to come tomorrow or Monday just to see what's up." KING replied, "Right now he kind of short. He probably like at least seven thousand short. But he got plenty of money, but it's locked in the streets (money owed from drug customers)." Later in the conversation, AUCES stated, "I was talking to my kid (ALEJANDRO SANCHEZ) and I guess he did his own little investigation about you. And I don't blame him. I didn't even say nothing and I guess he heard just good things about you." KING replied, "I like that, though, because that's all I got. I like a reference. Reference supposed to go a long way." AUCES

replied, "I didn't even know that he was doing that, but he told me, he say, you know what about your dude, he says, some friends of mine, they know him. They say the guy, he's about his business and he's a good dude, you know. The only thing that he says, one of them he says that sometimes you take chances. That you like to take chances and sometimes it's not good." KING replied, "Everybody telling me to chill out though, like I got to quit trying to make it happen overnight."

51. On January 25, 2014, at approximately 9:06 p.m., FERNANDO AUCES sent the following text message to G.G. which read: "ULIS no. 419 261 4962." Three minutes later, G.G. sent AUCES the following text message: "Gt it."

52. On January 27, 2014, at approximately 6:42 p.m., FERNANDO AUCES called ALEJANDRO SANCHEZ on the telephone. During the call, AUCES stated, "You know what, I just wanted to remind you that Junior, he's gonna give it to us for thirty-five (\$35,000 for a kilogram of cocaine). Ok?" SANCHEZ replied, "Oh, cool. Ok." AUCES stated, "And we're gonna give it to whoever, you know, thirty-six, or if we can, with more, you know. But he's giving it to us on thirty-five. That was the agreement." SANCHEZ stated, "Ok, yeah. I was gonna give him a call in a little bit. 'Cause I think he's gonna probably come down here tomorrow or Wednesday." AUCES said, "You know what, I was gonna see if I could get a hold of BONE (ANTHONY KING) too, you know. 'Cause I don't know if he's gonna be ready, but he says that he might. When I talked to him, when it was, Saturday? He says to give it a week, but maybe in a few days he would be ready." SANCHEZ replied, "I might be able to do it. I talked to Junior a little bit already. So hopefully, you know, I just don't want to be doing too, too much, you know what I mean."

53. On January 27, 2014, at approximately 8:45 p.m., FERNANDO AUCES called ALEXANDER GONZALES on the telephone. During the call, GONZALES said, "I didn't know what was going on, I got my first one from RICO (RICARDO MORALES-ALMAZAN), and then he told me two weeks, and then three weeks." AUCES replied, "No, it (the delay in the arrival of the drug shipment) is because of what is going on in Mexico where the good guys are . . . the very good ones, they are having . . . problems. But it is the cartels who are fighting and things are stopped right now. But as soon as . . . they are going to take off and my cousin is just waiting on them. See at first, he was having a hard time, but now they all want to, because it is scarce everywhere, for the same reason." GONZALES asked, "Okay, do you have people here that want it?" AUCES replied, "Yeah." GONZALES added, "Because I have a few (customers who are ready)." AUCES continued, "Yeah, I have one, I have two here." GONZALES responded, "Do they have the money ready? At what price?" AUCES answered, "I give it to them at 85." GONZALES continued, "Okay. I can let it go at 85. They gave me something at 80, so do you want that?" AUCES replied, "Yeah, this black guy wants one half (one half kilogram of heroin) here in Toledo and another guy also wants some but we haven't talked price." GONZALES responded, "I'll let it go for 85, but the only problem is that they have to go get it." AUCES replied, "One (customer) will probably go, but the other one wants it in (delivered to) Toledo." GONZALES continued, "The guy from Toledo, what does he do?" AUCES asked, "What do you mean?" GONZALES clarified, "How much does he want?" AUCES replied, "He wants a half (half kilogram of heroin)." GONZALES then asked, "How much does the other guy want?" AUCES replied, "I don't know, he just ordered today, but they have the money too." GONZALES asked, "For sure?" AUCES answered, "Yep, for sure. I also have another guy, but he says that if you give him three days . . ." GONZALES interrupted,

"No, I can't give any slack to anyone because I want to move what I have." AUCES continued, "No, see this guy, that's why I'm talking to my cousin, and when you can't, well you can't . . . But this one can move up to five in three days." GONZALES asked, "Oh yeah, what will he pay?" AUCES responded, "I told him 85, but he's good, because he has kilos of the white stuff (cocaine)." GONZALES responded, "Where is he?" AUCES answered, "In Fort Wayne (Indiana)." GONZALES asked, "Does he (Junior) go to Cincinnati?" AUCES answered, "Maybe, if I ask him (Junior)." GONZALES continued, "Tell him (Junior) that you have someone who is giving this to me, but if he goes for it . . . does he have the money ready?" AUCES replied, "He says that if it's brought to him, he will take care of it in three days." GONZALES clarified, "Yeah, but that's not the problem. If I can send it with my brother-in-law over there, but I don't have the money to protect it. That's my fear, in case something goes wrong, and I can't pay those people (suppliers)." AUCES stated, "This guy (Junior) is trustworthy, he is the nephew of a fellow inmate (M.R.)." GONZALES said, "Talk to him, and see if he will go to Cincinnati and buy it there cash. Give me a little time. If its cash, I can handle it. The courier can hook up with your woman (JENNETH DELAROSA) down there. I can send the driver to her, and he can wait there for the money." AUCES replied, "I'll talk to him tomorrow, because he's going to get some squares for me from that same guy that I told you. The guy wants 35, and I just started selling. Because you know that when they want some, there isn't any, and when there is some, they say wait."

54. On January 27, 2014, at approximately 10:26 p.m., FERNANDO AUCES called ALEXANDER GONZALES on the telephone. During the call, AUCES and GONZALES spoke for more than twelve minutes regarding potential drug transactions in the future, including the price currently available to AUCES for a kilogram of cocaine. At the conclusion of the

conversation, AUCES stated, "I have some bad news for you, they grabbed my buddy, f\*\*k!" GONZALES asked, "Who?" AUCES replied, "RICO (RICARDO MORALES-ALMAZAN), over there in . . . The immigration again." GONZALES said, "Oh man, I was calling him and he wasn't answering." AUCES replied, "Yeah, well because of that, he was missing for about 3 or 4 days, and just now my people found him, but he's there. Now we have to see how much (prison time) they will give him. Anyways, there's my cousin, G\*\*y (G.G.). You know that he answers you." A few moments later, GONZALES stated, "I know he's (G.G.) good." AUCES replied, "He (G.G.) says that once he gets ready it's like, hey, come on, I'm heading that way. That's how he (G.G.) does it. But I tell him to call every now and then, because you see how sometimes they'll change numbers or something."

55. On January 28, 2014, at approximately 3:28 p.m., FERNANDO AUCES called G.G. on the telephone. During the conversation, AUCES and G.G. discussed the fact that RICARDO MORALES-ALMAZAN had recently been arrested, and Source 1 was with him at the time of his arrest. AUCES stated he was concerned because Source 1 had not been arrested and believed Source 1 may be providing information to law enforcement officers. AUCES also discussed the May 23, 2013, attempted drug transaction involving ALEJANDRO SANCHEZ and Source 1. AUCES stated, "Yeah, because that one time we were going to take four of those things (kilograms of cocaine) to him (Source 1), and uh and these guys were stopped on their way over there (Cleveland) but they didn't get to his house or anything like that. But when they were half way there, they were stopped and they (police officers) said they were looking at them and all that, but supposedly they found something on them but they didn't show them anything. They let them go." G.G. asked, "How was that?" AUCES replied, "I mean, when they were on their way over there . . ." G.G. said, "Yeah, they were stopped." AUCES continued, "They were



stopped by the police and they were investigated for about three hours over there, but one of them was following my wife's son (SANCHEZ), and he was the one who had them, so uh they supposedly found the work (drugs), and this and that, but it was hidden very well. But uh . . . at the end . . . they didn't show them anything. They just went, hey, who does this belong to? Who does that stuff you have there belong to?"

56. On January 31, 2013, at approximately 8:17 p.m., ROBERTO AGAPITO VALLEJO-BECERRA called FERNANDO AUCES on the telephone. During the call, VALLEJO-BECERRA said, "For tomorrow, Saturday, or for Monday or Tuesday. Do you know of anybody who could come over to pick-up a half?" AUCES asked, "Over there (Texas)?" VALLEJO-BECERRA answered, "Yeah . . . they deliver it (drugs) to me tomorrow." AUCES responded, "Yeah, uh . . . what the f\*\*k . . . well, you know that I don't have anything (money) PRIMO. That's the thing right now." VALLEJO-BECERRA replied, "Well then, they can come and get it and . . . someone who is trustworthy . . . so we can work . . . well . . . to work . . . so we can take off from there again, and we can take over from there again." AUCES responded, "Yeah, right, I know, what the f\*\*k. Let me see . . . let me see what I can do." VALLEJO-BECERRA added, "That's why I was calling you. To see if there was someone. To see if there is anyone there, that could come. The guy (courier) that I was going to send . . . well, I can't find him. If I find him, well I'll send him. But, if I don't, well . . . that's why I'm telling you. So you can get ready. They can have half . . . or, what do you think? Is there anyone around there who might be interested?" AUCES replied, "Um, no. Well, SHORTY (ANTHONY KING) was um . . . I would need to talk with him. Because he was the one who wanted half right away, I don't know, you know that when they wait too long . . . well . . . he people . . . you know . . . if someone else arrives . . . they take off. But let me see what is going

on. Is that alright?" VALLEJO-BECERRA replied, "That's fine."

57. On February 5, 2014, at approximately 7:35 p.m., FERNANDO AUCES called a person cooperating with law enforcement (hereinafter referred to as "Source 2"). During the call, AUCES asked, "What kind of work (drugs) you looking for?" Source 2 replied, "If I could get like an eighth (1/8 of a kilogram) of some soft (cocaine powder), I could work that real good." Later in the conversation, AUCES asked, "What about the Asian girls (heroin)." Source 2 asked, "Oh, the brown (heroin)?" AUCES replied, "Yeah." Source 2 replied, "Oh, it's rampant up here. If I could get my hands on some of that, in Canton it's an epidemic. That and white (cocaine) is like the two biggest things up here." Later in the conversation, AUCES asked, "Remember ALEX (ALEXANDER GONZALEZ)?" Source 2 replied, "ALEX (GONZALEZ), yeah." AUCES then stated, "GONZO, GONZO." Source 2 replied, "Yeah, GONZO." Later in the conversation, AUCES stated, "He (GONZALEZ) got some of the brown (heroin), you know, the china." Source 2 replied, "Yeah, give him my number and tell him to call me, man." AUCES replied, "Ok." Later in the conversation, AUCES stated, "I got another dude (Junior), you know, with the white girls (cocaine)." Source 2 replied, "I can get some money up." Later in the conversation, AUCES stated, "On this one (cocaine), they want thirty-six (\$36,000) for each one (kilogram of cocaine)." Source 2 then asked, "For the whole thing, thirty-six?" AUCES then stated, "Yeah, but they say that it's guaranteed that it's good. He (Junior) don't like to f\*\*k with nothing but good stuff because he likes his money." Later in the conversation, AUCES stated, "Listen, this is what I'm gonna do. Before we go to this route, because that one (cocaine) I can get at any time. You hear me? And if you go and get it, it's even easier. Well for you, because you don't have to wait. From where you are it's gonna be a little bit farther away. Because he lives two hours from Toledo." Later in the conversation, AUCES stated, "It's

in Indiana. It's close to, uh . . . Yeah it's like two hours from Toledo. But if you go and get it over there, later on, he (Junior) might even give you a better price. And you would be dealing straight up with him. Because he's one of my dude's (M.R.) nephew. He's trying to do something with my kid (ALEJANDRO SANCHEZ), you know, right here in Toledo. And I'm trying to impress him, you know, at first. So that way we can win his trust." Later in the conversation, AUCES stated, "I'm gonna give you GONZO's (ALEXANDER GONZALES) number. The only thing is he's in Lucas." Source 2 responded, "Oh, he's in Lucasville (Lucasville Penitentiary)?" AUCES replied, "Yeah. So the only time he can use it (his telephone) is up to ten at night. So you could even call it tonight, if you want to. He might end up, like, giving you some. Because he wants to work too, you know." Source 2 replied, "Well give him a call too, 'cause you know what I mean . . . I'm sure me getting his number, he'll know I got it from you, but, you know, give him a call, 'cause I definitely could use that." Later in the call, Source 2 asked, "What's GONZO's (GONZALES) number?" AUCES then asked, "You want me to text it to you or give it to you?" Source 2 replied, "You can text it to me." Later in the conversation, AUCES stated, "He's (Junior) supposed to come this weekend to visit, you know, the family right here (Toledo), and one of my dudes." Source 2 replied, "Well even on that, if he blesses your son (SANCHEZ) good enough, maybe I can deal with him. Get like a couple ounces (cocaine) off of him to get me going." AUCES replied, "Just talk to GONZO (GONZALES) and we can go from there."

58. On February 5, 2014, at approximately 7:53 p.m., FERNANDO AUCES sent the following text message to Source 2: "2166440680 ALEX".

59. On February 5, 2014, Source 2 contacted ALEXANDER GONZALEZ on the telephone. During the conversation, Source 2 and GONZALEZ agreed to conduct a drug

transaction in which GONZALEZ's girlfriend (TAMMY GIBSON) would provide Source 2 with one ounce of heroin at a price of 90 dollars per gram.

60. On February 6, 2014, Source 2 met with TAMMY GIBSON in Canton, Ohio. During the meeting, GIBSON provided Source 2 with 28.35 grams of heroin.

61. On February 8, 2014, at approximately 7:35 p.m., RANDY KOELBLIN called FERNANDO AUCES on the telephone. During the call, AUCES stated, "I have good people in the streets, you know. Family and I got friends too that . . . they can make it happen." KOELBLIN responded, "Alright, well how can I link up with 'em?" AUCES replied, "All I have to do is, like put you with them, hook you up with them. So you can talk. But before we do that, I want to know what kind of work (drugs) you're looking for, you know? Is it just trees (marijuana) or . . . because listen I can get, like I told you yesterday, I can get the white girls (cocaine), and the china (heroin.)." KOELBLIN replied, "Yeah, I can get that china out there. I know a lot of people down here in Cincinnati buddy, a lot of people bub. A lot of people." AUCES clarified, "So you can do something with that one (heroin) too?" KOELBLIN replied, "Hell yeah, I can do all of it." Later in the conversation, AUCES said, "Chino, he knows me real good, you know. We've talked before, and plus we've been . . . I was in Toledo (Toledo Correctional Institution) with him. Well now he's in Lebanon (Lebanon Correctional) that's where I started." KOELBLIN added, "Yeah, I just got out of there." AUCES replied, "Yeah, he told me. He sent me a letter, you know, and he told me that you was good people." KOELBLIN agreed, "Yeah, I keep it a hundred buddy, I keep it a hundred."

62. On February 10, 2014, at approximately 5:03 p.m., FERNANDO AUCES called DANIEL ULIS on the telephone. During the call, ULIS stated, "I'm gonna say like, today's Monday right? I'm gonna say like if we did something today, I'm gonna say probably like . . .

Friday or Saturday, but no later than Monday. Probably like six or seven days (to sell the heroin) man." AUCES asked, "For the whole thing (one kilogram of heroin)?" ULIS replied, "For the whole thing. But it all depends on how good it is man like . . . your dude (GONZALES), they love that (ULIS' customers loved the previous heroin he sold them due to the quality)." AUCES replied, "Well, I don't know about this one, but the guy (Junior), he's saying that it's good. That's what he's saying because he said that he already gave something to another guy from Fort Wayne, and he didn't complain. This guy (Junior), he don't know too much about that. He's more on the white girls (cocaine)."

63. On February 10, 2014 at approximately 7:07 p.m., FERNANDO AUCES called DANIEL ULIS on the telephone. During the call, AUCES asked, "Did you talk to Junior?" ULIS replied, "Yep, yep. I got off the phone with him probably like 15-20 minutes ago." AUCES stated, "Ok, because he's talking about tomorrow right, in the morning?" ULIS responded, "Yep, yep." AUCES continued, "I told, I ended up talking to him, but I told him that you said that if he needs like to like charge a little bit extra, you know for . . . to bring it, you know. That we'll split the cost you know. So he said that he had some girls (couriers) . . ." ULIS interjected, "Yep, he told me." AUCES replied, "He already told you?" ULIS responded, "Yep, yep." AUCES added, "Ok, so we're on the same page." ULIS stated, "Exactly. He's supposed to be calling me back in about 15-20 minutes." AUCES replied, "Ok, listen. If everything goes right and everything, I might . . . this is what I'm gonna ask you to do for me. Try like to like put like a hundred, a hundred of them (grams) to the side. Because you know I gotta dude from here, you know close to here. You know he got, you know the . . . monkeys. But uh, he wants to work too, so I wanted to like make it fair for everybody." ULIS replied, "Ok, I got you."

64. On February 11, 2014, at approximately 8:34 p.m., FERNANDO AUCES called DANIEL ULIS on the telephone. During the call, AUCES asked, "You already check it (quality of the heroin)?" ULIS replied, "I'm getting it done right now." AUCES continued, "Yeah because listen, for a minute Junior, he got a little bit nervous. Not because, not only that, but you know he says because you're supposed to give the twenty five hundred . . ." ULIS interjected, "It was a hundred short (money provided to the courier). I tried to tell him like the first garage the alley was too . . . it was too much snow in there, and just to call somebody that I really trust like man, 'I give you a hundred dollars, let me use your garage for a minute (ULIS had used \$100 of his courier payment funds to pay a friend for the use of a garage to conduct the transaction).'" AUCES replied, "I understand, I understand. But you know he's just starting with us so, so he's like thinking 'Man if they're getting short on like a hundred dollars . . . well you know.'" ULIS replied, "Ask that girl (the courier). We had to push her out the alley like three times man." AUCES continued, "I understand, but he was a little bit like . . . wondering. You know like, 'Man . . .'" ULIS stated, "Hey, tell him I'll Western Union a hundred dollars to him right now man." AUCES replied, "I know . . . Once he sees that we're for real, he's gonna love us. Plus this is another thing, this is what he told his cousin he's still got some over there (Indiana). I think that he's got three more of them (kilograms of heroin). This is what he told his uncle (M.R.), to ask you if this is what you want. Because if that's what you want, he can like save the other ones, for us. Them other three." ULIS replied, "I'm fixin' to get on it right now. I told him I was gonna call him and let him know, yay or nay."

65. On February 11, 2014, at approximately 9:27 p.m., FERNANDO AUCES called DANIEL ULIS on the telephone. AUCES asked, "Did you already find out what it was (quality of the heroin)?" ULIS replied, "Ah, it's the truth bro! I called the man (Junior) back and

everything. We off and running man, it's the truth!" AUCES replied, "Listen, do this for me. I know that I told you to save a quarter (one quarter kilogram of heroin). But listen, this is what I need you to do. Save me a quarter (250 grams of heroin) and a hundred, that's it." ULIS clarified, "So you saying, 350 (grams of heroin) all together?" AUCES responded, "Yeah. That's it, and the rest is yours. I'm not gonna bother you, I'm gonna let you like do whatever, ok?" ULIS replied, "I got you bro."

66. On February 11, 2014, at approximately 10:34 p.m., FERNANDO AUCES called ALEXANDER GONZALES on the telephone. During the call, AUCES asked, "Were you talking about the dude?" GONZALES asked, "The one from Indiana?" AUCES responded, "Yeah, the one with the blondies (cocaine), right?" GONZALES agreed, "Yeah, I've already got all of that ready. We're going to do at least four (kilograms of cocaine)." AUCES replied, "He (Junior ) has no problem with that, and he says that if we need a day or two that he'll give it to us." Later in the conversation, AUCES stated, "He (Junior) says that he has to pay the person to go all the way there. They're girls (the couriers)." GONZALES replied, "Ok, but how much?" AUCES replied, "From there (Indiana) to Toledo he gives them two five hundred (\$2,500)." GONZALES asked, "Are they coming from Toledo, or from Indiana?" AUCES responded, "No, they come from Indiana, Elkhart, Indiana." Later in the call, GONZALES said, "Look, this is what's going on. You're making one point, and I'm making two points (a "point" is a reference to a one thousand dollar "mark-up" of the price from purchase price to selling price)." Later, GONZALES stated, "Look, this is what we're gonna do. It's 2,500. Tell him (Junior) what is the most (kilograms) he can bring?" AUCES responded, "At least four. But, if you want, I can tell him we'll do four, and to lend us one, so that you can make more." GONZALES replied, "Yeah, so if he lends me one, we'll go half and half on the payment of the girls (couriers). We'll go half

and half, as long as he gives me one to break up (reduce to smaller size sale packages), then at least I can make something. 'Cause I'm not making anything. All I'm making is two points (thousand). You're making one, I'm making two. 'Cause I have to pay one (thousand) to the guy outside (of the prison)." AUCES added, "The truth is, his (Junior's) uncle (M.R.) is the one who's helping me here. We're going to go half and half."

67. On February 13, 2014, at approximately 2:34 p.m., FERNANDO AUCES called ANTHONY KING on the telephone. During the call, KING stated, "I don't really know how to hit (mix) it for real. I'm really tryin to just get it out there like that (trying to sell the heroin without adding any additional chemicals to dilute it). They said the last dude, I kinda fu\*\*ed him up with what I had (a previous customer got sick from KING added to the heroin)." AUCES replied, "You know what you can use? From my cousin, the one that he used to send to me." KING asked, "What's that?" AUCES continued, "He said, if they're gonna use it in the arm (inject it), he said to buy like the candy apple sugar." KING responded, "Most of these, they snort." AUCES continued, "He says it's more like a powdered sugar. He said that it's like lighter." KING said, "Everybody say try something different. They say lactose some other s\*\*t and somebody told me benefiber . . . So I don't know."

68. On February 13, 2014, at approximately 2:36 p.m., FERNANDO AUCES called ANTHONY KING on the telephone. During the conversation, AUCES said, "That's what my cousin told me before, you know? But I never did it, you know? But he said if you're gonna like shoot it (inject the heroin), it won't plug the veins and all that, that's what he says." KING replied, "Oh, ok. Really, right now, I'm trying to do it like it is. But I don't know what kind of profit it's gonna be to pick up. I'm thinking when you make the call that they'll get to bitin', they (the customers) will tell me how it is and whatever but . . . People be kinda established so



it's gonna take time to cut in to it. But I'm gonna say, let's say I'll have a nickel (\$5,000) for you Monday. I kinda got that now though, I'm close. I mean, we'll just do it like that. But right now, my phone ain't really ringing, so . . ." AUCES replied, "It takes time. Listen, just get as much as you can, and I'll let you work. I'll talk to the guys." KING stated, "At least by Monday I'll have five stacks (\$5,000) for you, maybe more."

69. On February 14, 2014, at approximately 1:43 p.m., FERNANDO AUCES called DANIEL ULIS on the telephone. During the conversation, AUCES said, "Dude (Junior) is supposed to come this way (Ohio). But he says that he talked to you and that, you know, to see how much and everything you already got. So he says that you told him that you was gonna talk to me first, you know." ULIS asked, "You taking about dude?" AUCES replied, "Yeah, you know, the one that is coming, the one that thing (kilogram of heroin) came from, Junior." ULIS responded, "I talked to him (Junior), he said he was gonna be down here at about four o'clock and he was gonna catch up with me." ULIS then added, "I just squared ALEX (ALEJANDRO GONZALES) away too, you know what I mean? Hey like for real for real, I was gonna tell him like man you know like the thing (heroin) dude (GONZALES) had was so good, mother fu\*\*\*rs don't really want to jump (buy) on this s\*\*t that . . . that . . . you know what I mean? I guess the other thing (GONZALES' heroin) was just so good that, people playin' me like I done did something to it or something (ULIS' customers suspect that he diluted the heroin to make more money)." AUCES replied, "So ALEX's (GONZALES) is better?" ULIS responded, "Way better! I'm talkin' about way way better! A couple people done brought me this back. You know what I mean?"

70. On February 14, 2014, at approximately 2:06 p.m., FERNANDO AUCES called DANIEL ULIS on the telephone. During the call, AUCES said that he had spoken with uncle (M.R.) who agreed to lower the price of the heroin to "850" to move it faster.

71. On February 14, 2014, Source 2 met with TAMMY GIBSON in Canton, Ohio. During the meeting, Source 2 paid GIBSON \$2,520 for the 28.35 grams of heroin GIBSON had provided Source 2 on February 6, 2014.

72. On February 15, 2014, at approximately 6:50 p.m., FERNANDO AUCES called ANTHONY KING on the telephone. During the call, AUCES asked, "Hey bro, how much do you have left (heroin)?" KING replied, "Uh . . . s\*\*t, 200 grams." AUCES continued, "Hey, can you do something for me, and I'll replace it tomorrow?" KING asked, "What's that?" AUCES continued, "I was talking to Smiley (known to the Grand Jury, but not charged herein). I was about to do something (drug transaction) with him but I can't get it until tomorrow. So he asked me to tell you, because somehow he knows you . . ." KING interrupted AUCES and said, "Yeah see, you wasn't supposed to put him in my business. Oh damn. He just called me. I told him I was going to Detroit." AUCES responded, "Yeah, he told me like to holler at you." KING answered, "Yeah, that wasn't cool . . . I don't totally . . . huh uh." AUCES asked, "What's up with him bro? Talk to me." KING replied, "I don't know . . . not on that level. That's just me, I mean, it ain't for me to say, but I ain't tryin' to . . ." AUCES interjected, "Yeah, because he asked me for some (heroin), I mean he got the money and everything. Because, my dude (DANIEL ULIS) is busy, the one that I got it from . . . that he's holding for me. He got it right now and I said, 'Hey, can you wait until tomorrow?' But he said, 'Hollar at SHORTY (KING),' I know he's got some." KING replied, "Well I'm out the way right now, on my way to Detroit." AUCES responded, "I'm going to tell him that he's going to have to wait until tomorrow, Ok?"

73. On February 17, 2014, at approximately 1:48 p.m., FERNANDO AUCES called ANTHONY KING on the telephone. During the conversation, KING stated, "Man, I told you that's what this ni\*\*ar (Smiley) . . . I don't f\*\*k with that ni\*\*ar! That ni\*\*ar just . . . The motherf\*\*\*er just upped pipe (pulled a gun) on me! That's why I don't f\*\*k with him (Smiley). I changed my number for that motherf\*\*\*er! I don't even gave him this number! I don't f\*\*k with that dude, I told you! What the f\*\*k!" AUCES asked, "What did he do?" KING replied, "He upped pipe in my own home! That's all he is is a robbery boy. I knew he didn't have no money!" AUCES responded, "I mean he said that he was helping you bro. I'm serious, that's why . . ." KING continued, "Man I swear I didn't want to f\*\*k with this dude. I'm already hip to him. I don't know how you ain't hip to him." AUCES replied, "He told me that he had the money and everything." AUCES asked, "So I'm confused. What he (Smiley) do to you?" KING replied, "He robbed me!" AUCES answered, "Oh my God."

74. On February 18, 2014, at approximately 6:47 p.m., RANDY KOELBLIN called FERNANDO AUCES on the telephone. During the conversation, KOELBLIN stated, "I just walked out (KOEBLIN left Walmart because he refused to present his identification while purchasing a Green Dot card)." AUCES replied, "I'm paranoid right now bro . . . I'm responsible. Even for you, I'm responsible." KOELBLIN said, "I understand that. You ain't got nothing to worry about. 'Cause it's all gonna be great. We gonna stack money to the sky. You hear me? I'm serious." AUCES replied, "Well, I'll talk to GONZO (ALEXANDER GONZALES) and I'll explain it, Ok?" KOELBLIN stated, "Now he's (GONZALES) gonna think I'm a liar, and he ain't gonna trust me man. You know what I mean? I'll go straight to Walmart tomorrow and put it right on the green card tomorrow." AUCES replied, "I'm gonna say something came up, but you're gonna do it for sure tomorrow. Ok?" KOELBLIN responded,

“For sure! Alright listen, tell him, I mean, whenever I do this, he’s (GONZALES) gonna give me more (heroin), right?” AUCES responded, “Yeah, yeah. Listen, that is on me. I’m telling you bro. If you send that (money), I’m serious bro. Listen, if you do that for me, you’re gonna win my trust . . . even with him (GONZALES), he’s not gonna have no doubts.”

75. On February 19, 2014, at approximately 4:55 p.m., FERNANDO AUCES called RANDY KOELBLIN on the telephone. During the call, AUCES stated, “Next week, I’m going to start working my cousin (ROBERTO AGAPITO VALLEJO-BECERRA) too. He’s gonna be sending my old stuff. But this is the thing, I don’t know if you’re going to be able to come all the way here (Toledo).” KOELBLIN replied, “Yeah well, I got a ride. I got a nice ride.” AUCES responded, “Listen, with my cousin (VALLEJO-BECERRA), we’re going to just like keep going and going and going. The only reason that he took a break is because . . . I told you that, I took a loss (drug transaction with M.M.). A big one. It hurt me, you know? Well, he’s my family, you know? So he’s the one losing, not me. But I gotta help him anyway.” KOELBLIN replied, “Hey, put me on that team, you hear me?” AUCES continued, “Listen, he’s the one, he (VALLEJO-BECERRA) sent me like, this time he’s going to start with half (half a kilogram of heroin). This is family. That’s not G\*\*y (G.G.), but that’s G\*\*y’s cousin too. I mean, we’re all family.” KOELBLIN responded, “Hey Nando, I got somebody (drug customer) right now, C.O.D. for nine (ounces of heroin) of them, nine of them, right now . . . right now. I told you all I had to do was get my name back out there. Trust me, I’ll sell fu\*\*in’ 36 of them (one kilogram), I’ll guarantee you, in 3 days. C.O.D., cash money.” AUCES asked, “Do they got cash?” KOELBLIN replied, “Cash on delivery bub, yeah, C.O.D!”

76. On February 19, 2014, at approximately 8:12 p.m., FERNANDO AUCES called ROBERTO AGAPITO VALLEJO-BECERRA on the telephone. During the conversation,

AUCES said, "Yeah . . . it was like three days ago, something like that. But since I have a lot of numbers, well this one guy . . . this guy is faster, the young guy I have here, he's a good bastard. In just a little bit, he can do a lot . . . But all he does is just texting." VALLEJO-BECERRA replied, "Uh . . . Let me see if next week cousin." AUCES responded, "Ok, that's fine."

VALLEJO-BECERRA continued, "This week . . . I'm going to talk to the dude tomorrow. I'm going to call tomorrow, and try to see if he (courier) wants to come next week, on the bus. But, I need someone trustworthy, with your lady (JENNETH DELAROSA), so he can just give it to her directly, and if your girl has some money there, so she can pay him, the dude can go back. Do you know what I mean?" AUCES replied, "Yeah." VALLEJO-BECERRA stated, "He can get back and she can take over, do whatever." AUCES replied, "I'll tell . . . I'm going to talk, to this guy, the one I'm telling you about . . . it doesn't matter if it's slow, it's for sure, and it's going to be there. It's going to be close by . . . he's helping um . . . ALEX (ALEXANDER GONZALES). With a little, you know but, he's a good guy, and he wants to work too. He's more like . . . what he wants, is to be able to keep going, even though his work is the other one, the blond ones (cocaine). But, he is establishing a clientele there. A step at a time, you know?" VALLEJO-BECERRA responded, "That's fine." AUCES said, "I got this other dude (RANDY KOELBLIN), but I'm going to try him out first, with ALEX (ALEXANDER GONZALES)."

VALLEJO-BECERRA said, "Yeah, look, I'm going to send you two quarters (two quarter kilogram packages of heroin), and you can set it up, however you want to do it. You know what I'm saying? But please . . . I used to leave it (sell it on credit) a lot. Well you know everything that's happened to me, cousin." AUCES responded, "I know, I know." Later in the conversation, VALLEJO-BECERRA stated, "Yeah, anyway, about that other one, maybe tomorrow. Call me if you have a chance tomorrow, or I can call you and I'll tell you what we're

going to do with him (M.M.). How we're going to do it, you know what I mean? Just tell him, you know, well, I'll tell you tomorrow, how we're going to do it." AUCES said, "Ok."

VALLEJO-BECERRA added, "See if we can make him (M.M.) pay us, and if he doesn't pay us, then we'll know that that's it."

77. On February 20, 2014, at approximately 5:25 p.m., FERNANDO AUCES called ROBERTO AGAPITO VALLEJO-BECERRA on the telephone. During the call, AUCES asked, "Hey, what's happening PRIMO?" VALLEJO-BECERRA replied, "Hey cousin, I'm going to try to send it (heroin) this weekend, over there." AUCES responded, "That's good." VALLEJO-BECERRA continued, "I'll send you a text when it gets moving. I am going to send it to Toledo with the number of who's supposed to pick it up." AUCES responded, "My wife (JENNETH DELAROSA) is coming tomorrow and we can discuss things properly." VALLEJO-BECERRA said, "Talk to her." AUCES replied, "Yeah." VALLEJO-BECERRA continued, "But, I need two or three days. It's Thursday now, so it should be leaving on Saturday or Sunday. The dude (courier) is ready right now, but I don't have anything to give him. So I have until Saturday to give him the 300 to 500 dollars he needs for the trip. What I need from you for now is to find someone over there to pay him so that he can get back." AUCES agreed and VALLEJO-BECERRA continued, "Because he is only the horse (courier)." AUCES responded, "Yeah, I know. How much is he going to need?" VALLEJO-BECERRA answered, "I'm going to say, two and a half (\$2,500)." AUCES replied, "Let me . . . with the one I mentioned to you, the big dark skinned guy. Let me see how that's going? Is that good?" VALLEJO-BECERRA answered, "Yeah . . . I'm going to tell him to get that now, and I'll pay him the rest here." AUCES responded, "Yeah, that's fine." VALLEJO-BECERRA added, "But I want to do it by Monday." AUCES answered, "You want to do it by Monday? Okay, well,

tomorrow I'll talk to my wife (DELAROSA) and I'll let you know right away. Is that good?"

VALLEJO-BECERRA responded, "Yeah, that's fine. I'm saying Monday so that we don't waste any more time."

78. On February 20, 2014, at approximately 7:29 p.m., FERNANDO AUCES called JAVIER JIMENEZ on the telephone. During the call, AUCES asked, "So that's all you guys have? Or are you gonna come with the 75 (\$75,000)?" JIMENEZ replied, "No, that's all." Later, AUCES asked, "These guys . . . they're a little bit like paranoid you know? I mean I told him (Junior) that I know you, but I don't know the other guy (JIMENEZ's partner)." JIMENEZ responded, "He's not gonna be there." AUCES asked, "Oh, so you're the one that's gonna go? Just you and the . . ." JIMENEZ interjected, "And my driver." JIMENEZ then asked, "Is this guy (Junior) paranoid?" AUCES replied, "Yeah you know, because that's a lot of money, and . . ." JIMENEZ stated, "I'm goin down there (Indiana) with a lot of money too you know?" AUCES replied, "Yeah I know but, you know, like me, when it comes to him, I mean I know that he's not gonna do you wrong. That's a fact, you know? You know that I don't play no games, and he's giving it to me with nothing." JIMENEZ stated, "I'm gonna pay him as soon as I get there." AUCES replied, "Yeah I know, but that's all you got right now?" JIMENEZ said, "Yeah, that's it." AUCES asked, "So when are you gonna come with the rest of it?" JIMENEZ responded, "Remember, I told you give me about a week? Because, I'm gonna break some down . . . of my own. That's coming out of mine, know what I mean? When my dude pays that 70 (\$70,000) that 70 is his, not mine. Ok?" AUCES asked, "So he's gonna give you something from there?" JIMENEZ replied, "Oh yeah. He's gonna make sure I have some to pay him, and you." AUCES replied, "Ok . . ." Later in the conversation, AUCES and JIMENEZ began a price negotiation, as AUCES explained that Junior was expecting \$80,000 for the kilogram of heroin.

JIMENEZ thought the price was \$75,000. When JIMENEZ realized that he was mistaken, he stated, "I'm gonna have to call him (JIMENEZ's partner) back. Because I told him that 70 would be on him, and five would be on me. He texted me back and said that would work . . . But what I can do is, do some more, break down some more, and then make another five for you. You know what I mean?" AUCES said, "I don't want to go in debt with them again with that one (kilogram of heroin). At the same time, I want to like impress them (Junior and M.R.), to show them I got people, I got good people, you know? He (Junior) is the one who said, 'Man are you sure, they're not going to try to . . . rob me?' You know? I told them it's gonna be him and someone else, because most of the time, you know, people? When you're not the one with the money, they want to be there. That's why I said, 'I know him', and plus I said 'he's family' you know because . . ." JIMENEZ replied, "I'm pretty sure that, if it happens, he's (JIMENEZ's partner) gonna have somebody follow me with the money. Then when we get there, when I go, that's when he'll give me the money. And then he's gonna wait somewhere until I come back, you know what I mean? And then they're gonna follow us, you know what I mean? As long as I tell 'em, the other person can't be there, know what I mean? And then that's when he's gonna have to trust me. Because that's a lot of freakin' money." AUCES agreed, "I know, I know. This is what he (Junior) told me, he says 'How come you don't let your kid,' 'cause that's my girl's son, ALEJANDRO (ALEJANDRO SANCHEZ) . . . But ALEJANDRO he don't want to get involved in this. He (SANCHEZ) says that it's too much, you know for him. He's talking about like, if he gets in trouble . . . it's a long time, you know? So that's why sometimes I ask my girl (JENNETH DELAROSA) to do little things here and there, and I hate it because if something goes wrong she'd still get in trouble and I don't want that."



79. On February 20, 2014, at approximately 8:19 p.m., JAVIER JIMENEZ called FERNANDO AUCES on the telephone. During the call, AUCES stated, "My friend, he's in here (prison) with me. And the guy that I'm messing with . . . that's his nephew (Junior)." JIMENEZ said, "Oh, ok." AUCES said, "I don't know if you remember him, but his name is Manuel Ramirez. He said that he was in London." JIMENEZ then asked, "Oh, Ramirez?" AUCES replied, "Yeah. He's about my age." JIMENEZ asked, "Yeah, he's older, he looks like he's Chino?" AUCES replied, "Yeah, yeah." JIMENEZ stated, "Yeah, I remember him." AUCES stated, "He can barely, like, speak English." Later in the conversation, JIMENEZ asked, "He's not still in jail, is he?" AUCES replied, "Yeah, him yeah. My dude is, but not . . ." JIMENEZ asked, "Ramirez?" AUCES replied, "Yeah." JIMENEZ replied, "Oh, ok. Oh the other guy's . . ." AUCES replied, "No not the other one, not him." JIMENEZ then asked, "Oh, he's out?" AUCES stated, "No, he's here with me, but his nephew (Junior), he's about your age. He's the one that . . ." JIMENEZ interrupted, "That's the one I'm going to see?" AUCES stated, "Yeah."

80. On March 1, 2014, at approximately 7:00 p.m., Junior called ALEJANDRO SANCHEZ on the telephone. During the call, SANCHEZ stated, "Well earlier I was around my nieces, I just didn't want to say nothing. She (JENNETH DELAROSA) wasn't asking for nothing (money). I was seeing . . . You know what I mean?" Junior replied, "No, talk to me, talk to me." SANCHEZ then asked, "Remember you said you were gonna hook me up still?" Junior clarified, "Yeah, when you go pick up that (cash owed to Junior)?" SANCHEZ replied, "Yeah, that's what I mean, yeah. But I think you thought she (DELAROSA) was asking for gas money and stuff. That's what I'm saying, she (DELAROSA) didn't ask for nothing. I was talking about for me." Later in the conversation, Junior stated, "I don't know. They haven't told

me nothing, you know what I'm saying? If it comes nine (\$9,000), get two hundred dollars and you get five hundred for you. You know what I'm saying?" SANCHEZ replied, "Ok, cool." Later in the call, Junior asked, "When the stuff comes in, the four by fours (cocaine), you say you wanted one (one kilogram), right?" SANCHEZ replied, "Yeah, yep." Junior asked, "How long can that take (to sell)?" SANCHEZ replied, "I'm hoping no more than like a week. That's why I wanted to get it going. You know what I mean?" Junior stated, "A week's a long time." SANCHEZ replied, "Yeah, I know." Junior said, "And the price, I mean I don't know how you gonna do it, but I was telling you, like Chuck and them . . . I seen them drop (sell) ten (kilograms), eleven (kilograms) of them (cocaine) in two days, they have everything there, you know what I'm saying?" SANCHEZ replied, "Yeah." Junior stated, "So what I'm gonna do for you, I'm gonna do it because we alright." SANCHEZ replied, "Yeah."

81. On March 5, 2014, at approximately 5:31 p.m., FERNANDO AUCES called ROBERTO AGAPITO VALLEJO-BECERRA on the telephone. During the call, VALLEJO-BECERRA stated, "Uh . . . they're in Dallas, right now I don't know if he's (NOE REYES) left or not, but it looks like he's going at 6:30. Then he'll get going, because there's ice. They stopped the thing (bus). So from there, he (REYES) will continue on . . ." AUCES asked, "But they're ok? Because, those little things kind of scare me, you know?" VALLEJO-BECERRA replied, "Yep. They're in Dallas, and because of the ice, everything has come to a halt, but will get going at 6:30, and then I think he (REYES) won't be over there until like tomorrow, at 10:30. He was there all day, just there at the station (bus)." AUCES replied, "Yeah, that's ok, well, we'll see what happens."

82. On March, 8, 2014, NOE REYES arrived in Toledo, Ohio, with a package of approximately 500 grams of heroin that had been given to him by ROBERTO AGAPITO

VALLEJO-BECERRA. Upon arrival, DANIEL ULIS and JENNETH DELAROSA assisted in finding REYES a hotel at which to stay while in Toledo, Ohio.

83. On March 11, 2014, at approximately 6:07 p.m., FERNANDO AUCES called JENNETH DELAROSA on the telephone. During the call, AUCES stated, "PRIMO (ROBERTO AGAPITO VALLEJO-BECERRA), he says . . . can you find somebody to, like, put some money for him?" DELAROSA replied, "Nobody's gonna want to do that, you don't understand this. Doesn't he understand that too? What's he (VALLEJO-BECERRA) want?" AUCES replied, "Fifteen hundred, from money gram." DELAROSA repeated, "Nobody's gonna want to do it. First it was 8, now it's . . ." AUCES said, "What about GORDO (NOE REYES), can he do it?" DELAROSA responded, "I don't know why he (REYES) can't do it. Yeah, I'll pick him up and he can do it." AUCES replied, "Tell PRIMO. Because he told me to call him . . . and give the rest to GORDO (REYES)." DELAROSA responded, "Ok." AUCES asked, "He (VALLEJO-BECERRA) didn't say anything about the other stuff?" DELAROSA replied, "He said he was waiting for you guys . . . for you to talk to him again . . . let me call PRIMO (VALLEJO-BECERRA) and I can tell him I'm gonna go get GORDO (REYES) and he can do 'em."

84. On or about March 16, 2014, at approximately 7:47 pm, FERNANDO AUCES called JENNETH DELAROSA on the telephone. During the call, DELAROSA put ALEJANDRO SANCHEZ on the call. During the conversation, AUCES asked, "What's up?" SANCHEZ replied, "Nothing, just here. Um, in the one, the 200. That was a whole bunch of like white speckles already like somebody didn't mix it right. Like big pieces. Like a whole whole bunch. You know what I mean?" AUCES replied, "Yeah." SANCHEZ continued, "Do you want me to mix it right?" AUCES answered, "Yeah, mix it right, you know if you can."

Yeah, because somebody didn't . . . somebody either put it in there . . . I couldn't tell if it was like . . . It's not the stuff? Or it's something else?" SANCHEZ replied, "No, it's white. It's like . . . you know how the stuff (heroin) is like brown? It's like white white. Like um . . . maybe like, I don't know, it looked like, not sugar, it looked like little chunks. Do you want me to just leave it like that or did you want . . ." AUCES replied, "No, no. Break it so they won't say nothing." SANCHEZ said, "Yeah because like I showed my mom (DELAROSA) before I even touched it, you know what I mean? There's some left over too." AUCES responded, "Ok so, it was two three or two what?" SANCHEZ replied, "Two three . . . said 250 (250 grams of heroin) right?" AUCES asked, "Yeah, but on the two, it was two exactly or it was . . . ?" SANCHEZ clarified, "No it was a little bit over. It was like, what was it? I wanna say maybe like, two over . . . Yeah there's still some left over right here in front of me here, but I didn't put it all together yet to see how much." AUCES said, "Well just mix it together real good so they won't be able to tell."

85. On March 16, 2014, at approximately 8:38 p.m., FERNANDO AUCES called RANDY KOELBLIN on the telephone. During the conversation, AUCES stated, "I was talking to my cousin (ROBERTO AGAPITO VALLEJO-BECERRA), the one that send me the other stuff, the one that I told you that people, they was complaining. And I told him about you, and that you said you was willing to come and get it, and if it didn't work you would bring it back and all that." KOELBLIN replied, "Yeah." AUCES stated, "But that I told you no, and he says if you want it, and he's willing to try, well let him give it a try. But then I said, let me talk to him, that's to you. I said, and this is what I'm gonna do. If you say yes, I'm gonna . . . Well this is what I'm gonna ask you. If you want it, I can like send you, but on the inside of a greeting card. I'm gonna say like five . . . five (5 grams of heroin) of them. So you can try it."

KOELBLIN replied, "Alright." AUCES said, "And if they like it, then you can come for a quarter (250 grams). 'Cause that's what I got right now." KOELBLIN asked, "You got what, nine of them." AUCES replied, "Yeah, listen. I'm gonna send you, like, I'm gonna say five. Five of them." KOELBLIN asked, "Five grams or five whole ones." AUCES replied, "No, grams. But it's gonna be on the inside of a greeting card. You got to send me an address, where you want me to send it to you." KOELBLIN asked, "Can I give you that address . . . Can I call you back tonight about ten, ten-thirty?" AUCES replied, "Listen, it's not a . . . just send a text and I'll send it to my girl (JENNETH DELAROSA) so she can go and buy the card, put it in there, and I'll send you like five grams. Just to try it. Ok." KOELBLIN replied, "I'll text you the address tonight about ten thirty." AUCES replied, "Ok."

86. On March 16, 2014, at approximately 10:04 p.m., RANDY KOELBLIN sent the following text message to FERNANDO AUCES which read: "6505 hasler lane apt 6 cincinnati ohio 45216 the name is mr tarter."

87. On March 16, 2014, at approximately 10:04 p.m., RANDY KOELBLIN sent the following text message to FERNANDO AUCES which read: "Apt number 5 not 6."

88. On March 17, 2014, at approximately 3:16 p.m., M.R. called Junior on the telephone. During the call, M.R. asked, "What (drugs) do you have for me, nothing?" Junior replied, "No. I am finishing up a text. I am just waiting on some guys that are bringing some things over . . . and they will call me later."

89. On March 17, 2014, at approximately 3:34 p.m., FERNANDO AUCES called RANDY KOELBLIN on the telephone. During the call, AUCES stated, "Yeah, but that's what he says, he says in three days he's supposed to get a nice one (a large shipment of heroin), but this time he didn't get it . . . because I had another guy. And he says, no the only one, it was

CHEWY (KOELBLIN). He was the only one that . . .” KOELBLIN stated, “I’ll have his money at least tomorrow.” AUCES said, “Hey listen, I already sent that (sample of heroin through the mail) too. In the card, you know, so . . .” KOELBLIN asked, “Hey, what color was the envelope?” AUCES replied, “No, it’s a card, it’s a greeting card.” KOELBLIN replied, “Alright.” AUCES said, “But it shouldn’t be no problem, ‘cause we did it before like that.” Later in the conversation, AUCES stated, “You’ll get it probably tomorrow or Wednesday. Somewhere around there.” KOELBLIN replied, “Alright, sounds good.”

90. On March 17, 2014, at approximately 6:01 p.m., FERNANDO AUCES called JAVIER JIMENEZ on the telephone. During the conversation JIMENEZ stated, “My dude keeps on bugging me man . . . to see if he can get 150 of them (grams of heroin) from you. 150 um . . . the ones that I got from your dude. One of them.” AUCES replied, “Yeah they’re gone, those ones.” JIMENEZ answered, “Yeah, I thought you were supposed to get something from your people, from your people.” AUCES replied, “It’s gonna be like about at the end of this week, my dude Al (ALEXANDER GONZALES), he’s supposed to have some. But, his is much better than this, so he asked 90 (\$90 per gram), and everybody’s been liking it.” JIMENEZ asked, “If I buy that many (150 grams), what kind of deal can he (GONZALES) give me? Like what . . . 80 (\$80 per gram?)” AUCES responded, “No, its 90 bro.” JIMENEZ asked, “All the way to 150?” AUCES responded, “Yep, because listen. But, you can double your money easy.” JIMENEZ answered, “Yeah, but my dude (heroin customer) don’t sell it like that. He bangs (sells) for how he gets it. He just puts a little money on top of it.”

91. On March 19, 2014, United States Postal Inspectors seized a green greeting card envelope from the U.S. Mail addressed to Mr. Tarter, 6505 Hasler Lane, Apartment 5, Cincinnati, Ohio, 45216. The card contained approximately 5.16 grams of heroin.

92. On March 19, 2014, at approximately 7:55 p.m., FERNANDO AUCES called RANDY KOELBLIN on the telephone. During the call, AUCES asked, "Do you got that already?" KOELBLIN replied, "No, no I didn't." AUCES said, "Oh, ok. Probably tomorrow." KOELBLIN asked, "Hey, what color was it?" AUCES replied, "It's a greeting card, so it's a big one, like six by eight." KOELBLIN answered, "I know what you're talking about."

93. On March 21, 2014, at approximately 4:54 p.m., JENNETH DELAROSA called ALEJANDRO SANCHEZ on the telephone. During the call, DELAROSA stated, "Hey, dude just called . . . is your friend a sure thing 'cause he said Junior is getting the other (cocaine) and it's . . . he said that price looks better." SANCHEZ replied, "Well, he's definitely checking right now. He had a little bit and . . . just waiting." DELAROSA replied, "Well, like I said, he told me to tell you that the other one's (cocaine) gonna be here, and its way better. But the ticket's (price) the same." SANCHEZ replied, "Oh, ok. So maybe I'll wait then."

94. On March 24, 2014, at approximately 5:41 p.m., DANIEL ULIS called FERNANDO AUCES on the telephone. During the conversation, ULIS said, "Hey NANDO (AUCES), this is what he (drug customer) say. He say when he be going heavy like that, he ain't never paid over seventy five (\$75 per gram of heroin). He said he'll go to seventy seven, and he said just to let you all know he ain't bullsh\*\*\*in', he'll still take this five (500 grams of heroin) from me right now when he got the money on him, right now for the five, and he'll come back for the other one, for the whole one (one kilogram of heroin)." At that point, AUCES began a negotiation with M.R., who was with AUCES and speaking on another telephone. AUCES told ULIS, "Let me see. Hold on." For several moments, AUCES spoke in Spanish, and then M.R. spoke to another individual. After a brief pause, AUCES stated, "Uh, you know Junior's Uncle (M.R.)? He (M.R.) says go ahead you know. He (M.R.) said go ahead and lock it in."

95. On March 24, 2014, at approximately 5:55 p.m., ROBERTO AGAPITO VALLEJO-BECERRA called an unknown male on the telephone. During the call, VALLEJO-BECERRA stated, "Today, no later, I need to talk to my cousin (FERNANDO AUCES), because he hasn't called me . . . since Friday. I don't know what's happening . . . you know what I mean? And the dude that I sent, el Gordito (NOE REYES), well he uh, got desperate and went with someone else, and . . . got caught." The unknown male asked, "Are you kidding me?" VALLEJO-BECERRA replied, "Yep, they caught (arrested) him. But that's because, that's because . . . things happen, man . . . people that start thinking, right? I told the dude, you know tell him to get ready. Tell him to get ready. Because uh, he is going to go this weekend right? . . . and this dude and Gordito (REYES), they were going to go . . . Gordito (REYES) has some people (drug customers) in Mississippi. The Gordito (REYES) . . . I don't have his full name, but I do know that he is Noel Lucero . . . I am not sure if I can get him out (pay a bail or bond) with that or not."

96. On March 26, 2014, at approximately 3:16 p.m., FERNANDO AUCES called JENNETH DELAROSA on the telephone. During the conversation, AUCES asked, "I have another question. When you went to drop off the money to the girl (M.R.'s niece), where was it? In the store? Outside the store?" DELAROSA replied, "FERNANDO, I told you that the señora (girl) was in the callejon (alley)." AUCES then repeated that statement to M.R. who was standing nearby, "Oh, she was in the callejon." AUCES then said to DELAROSA, "My love, tell Junior's Tio (uncle) the best you can in Spanish . . . ok?" DELAROSA agreed, then waited as M.R. took the telephone. M.R. (speaking solely in Spanish) greeted DELAROSA, who then proceeded to explain to M.R. that his niece and a black man had been located in the alley and that she (DELAROSA) provided the money to his niece.



97. On March 30, 2014, at approximately 8:34 p.m., FERNANDO AUCES called JENNETH DELAROSA on the telephone. During the call, AUCES stated, "They aren't giving it to me, you know that. And listen, I gotta give something (money) to him (Junior) because, Junior, he gave it to us for 35 (\$35,000). So I gotta give Tio uno (AUCES has to give M.R. \$1,000), and I gotta get another one . . ."

98. On April 4, 2014, JENNETH DELAROSA possessed 243.41 grams of heroin, approximately \$37,050.00 in cash and drug paraphernalia in her residence located in Toledo, Ohio.

All in violation of Title 21, United States Code, Section 846.

#### COUNT 2

The Grand Jury further charges:

On or about November 7, 2012, in the Northern District of Ohio, Eastern Division, RICARDO MORALES-ALMAZAN, aka RICO, did knowingly and intentionally distribute approximately 269.31 grams of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(A) and Title 18, United States Code, Section 2.

#### COUNT 3

The Grand Jury further charges:

On or about November 7, 2012, in the Northern District of Ohio, Eastern Division, JENNETH DELAROSA did knowingly and intentionally distribute approximately 269.31 grams of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B) and Title 18, United States Code, Section 2.

COUNT 4

The Grand Jury further charges:

On or about February 6, 2014, in the Northern District of Ohio, Eastern Division, ALEXANDER GONZALES, aka GONZO, aka ALEX and TAMMY GIBSON did knowingly and intentionally distribute approximately 28.35 grams of a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C) and Title 18, United States Code, Section 2.

COUNT 5

The Grand Jury further charges:

On or about March 16, 2014, in the Northern District of Ohio, Eastern Division and elsewhere, FERNANDO AUCES, aka NANDO and JENNETH DELAROSA did knowingly and intentionally distribute and possess with the intent to distribute approximately 5.16 grams of a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C) and Title 18, United States Code, Section 2.

COUNT 6

The Grand Jury further charges:

On or about March 16, 2014, in the Northern District of Ohio, Eastern Division and elsewhere, RANDY KOELBLIN, aka CHEWY, did knowingly and intentionally attempt to distribute and attempt to possess with the intent to distribute approximately 5.16 grams of a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 846 and 841(a)(1) and (b)(1)(C).

COUNT 7

The Grand Jury further charges:

On or about April 4, 2014, in the Northern District of Ohio, Eastern Division, FERNANDO AUCES, aka NANDO, and JENNETH DELAROSA did knowingly and intentionally possess with the intent to distribute approximately 243.17 grams of a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B) and Title 18, United States Code, Section 2.

COUNTS 8-28

The Grand Jury further charges:

On or about the dates and approximate times listed below, in the Northern District of Ohio, Eastern Division, and elsewhere, the defendants listed below did knowingly and intentionally use a communication facility, to wit: a telephone, to facilitate acts constituting a felony under Title 21, United States Code, Section 846:

Count	Defendants	Date	Time
8	RICARDO MORALES-ALMAZAN, aka RICO	November 6, 2012	2:38 p.m.
9	JASMINE REYES	October 24, 2013	11:27 a.m.
10	JASMINE REYES	October 24, 2013	4:17 p.m.
11	RICARDO MORALES-ALMAZAN, aka RICO	October 24, 2013	4:54 p.m.
12	FERNANDO AUCES, aka NANDO and ALEJANDRO SANCHEZ, aka MIGUEL, aka ALEX	January 24, 2014	8:51 p.m.
13	FERNANDO AUCES, aka NANDO and JAVIER JIMENEZ	January 25, 2014	7:39 p.m.

14	FERNANDO AUCES, aka NANDO and ANTHONY KING, aka BONE, aka SHORTY	January 25, 2014	8:23 p.m.
15	FERNANDO AUCES, aka NANDO and ALEJANDRO SANCHEZ, aka MIGUEL, aka ALEX	January 27, 2014	6:42 p.m.
16	FERNANDO AUCES, aka NANDO and ALEXANDER GONZALES, aka GONZO, aka ALEX	January 27, 2014	10:26 p.m.
17	FERNANDO AUCES, aka NANDO and RANDY KOELBLIN, aka CHEWY	February 8, 2014	7:35 p.m.
18	FERNANDO AUCES, aka NANDO and DANIEL ULIS, aka HEAVY	February 10, 2014	5:03 p.m.
19	FERNANDO AUCES, aka NANDO and DANIEL ULIS, aka HEAVY	February 11, 2014	8:34 p.m.
20	FERNANDO AUCES, aka NANDO and ALEXANDER GONZALES, aka GONZO, aka ALEX	February 11, 2014	10:34 p.m.
21	FERNANDO AUCES, aka NANDO and ANTHONY KING, aka BONE, aka SHORTY	February 15, 2014	6:50 p.m.
22	FERNANDO AUCES, aka NANDO and RANDY KOEBLIN, aka CHEWY	February 18, 2014	6:47 p.m.
23	FERNANDO AUCES, aka NANDO and ROBERTO AGAPITO VALLEJO-BECERRA, aka PRIMO	February 19, 2014	8:12 p.m.
24	FERNANDO AUCES, aka NANDO and ROBERTO AGAPITO VALLEJO-BECERRA, aka PRIMO	February 20, 2014	5:25 p.m.
25	FERNANDO AUCES, aka NANDO and JAVIER JIMENEZ	February 20, 2014	7:29 p.m.
26	ALEJANDRO SANCHEZ, aka MIGUEL, aka ALEX	March 1, 2014	7:00 p.m.

27	FERNANDO AUCES, aka NANDO and JENNETH DELAROSA	March 11, 2014	6:07 p.m.
28	ALEJANDRO SANCHEZ JENNETH DELAROSA	March 21, 2014	4:54 p.m.

All in violation of Title 21, United States Code, Section 843(b).

COUNT 29

The Grand Jury further charges:

On or about October 23, 2013, in the Northern District of Ohio, Eastern Division, JASMINE REYES, did travel in interstate commerce between the State of Ohio and the State of Texas, with the intent to promote, manage, establish, carry on, and facilitate the promotion, management, establishment, and carrying on of an unlawful activity, to wit: a business enterprise involving the distribution of heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 846, and the said JASMINE REYES, thereafter, did perform and attempt to perform acts to promote, manage, carry on, and facilitate the promotion, management, and carrying on of said unlawful activity.

All in violation of Title 18, United States Code, Sections 2 and 1952(a)(3).

COUNT 30

The Grand Jury further charges:

On or about March 8, 2014, in the Northern District of Ohio, Eastern Division and elsewhere, NOE REYES, aka GORDO, did travel in interstate commerce between the State of Ohio and the State of Texas, with the intent to promote, manage, establish, carry on, and facilitate the promotion, management, establishment, and carrying on of an unlawful activity, to wit: a business enterprise involving the distribution of heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 846, and the said NOE

REYES, thereafter, did perform and attempt to perform acts to promote, manage, carry on, and facilitate the promotion, management, and carrying on of said unlawful activity.

All in violation of Title 18, United States Code, Sections 2 and 1952(a)(3).

**FORFEITURE: 21 U.S.C. § 853**

The Grand Jury further charges:

The allegations contained in Counts 1-30 of this Indictment are hereby re-alleged and incorporated by reference as if fully set forth herein for the purpose of alleging forfeiture pursuant to the provisions of 21 U.S.C. § 853. As a result of these offenses, defendants FERNANDO AUCES, aka NANDO; RICARDO MORALES-ALMAZAN, aka RICO; ALEJANDRO SANCHEZ, aka MIGUEL, aka ALEX; ROBERTO AGAPITO VALLEJO-BECERRA, aka PRIMO; ALEXANDER GONZALES, aka GONZO, aka ALEX; TAMMY GIBSON; JAVIER JIMENEZ; NOE REYES, aka GORDO; RANDY KOELBLIN, aka CHEWY; JASMINE REYES; JENNETH DELAROSA; DANIEL ULIS, aka HEAVY; and, ANTHONY KING, aka BONE, aka SHORTY, shall forfeit to the United States any and all property constituting, or derived from, any proceeds the defendants obtained, directly or indirectly, as the result of such violations; and, any and all of the defendant's property used or intended to be used, in any manner or part, to commit or to facilitate the commission of such violations; including, but not limited to, the following:

a.) \$37,050.00 in U.S. Currency seized on April 4, 2014, from a storage locker at 18 Reed Avenue, Toledo, Ohio. [JENNETH DELAROSA]

A TRUE BILL.

Original document - Signatures on file with the Clerk of Courts, pursuant to the E-Government Act of 2002.